



**Ninety-Eighth Legislature - First Session - 2003**  
**Committee Statement**  
**LB 383**

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**Hearing Date:** February 5, 2003

**Committee On:** Health and Human Services

**Introducer(s):** (Synowiecki)

**Title:** Provide for opting out of certain limitations on federal food stamp assistance as prescribed

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**Roll Call Vote – Final Committee Action:**

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

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**Vote Results:**

|   |                     |  |
|---|---------------------|--|
| 5 | Yes                 | Senator Jensen, Byars, Cunningham, Maxwell and Johnson |
|   | No                  |  |
| 2 | Present, not voting | Senator Erdman and Stuthman                            |
|   | Absent              |  |

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**Proponents:**

Senator Synowiecki  
Milo Mumgaard

Sarah Fentress  
Amy Vogel

**Representing:**

Introducer  
Nebraska Appleseed Center for the Law and the  
Public Interest  
Matt Talbot Food Kitchen and Outreach  
National Association of Social Workers,  
Nebraska Chapter

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:** The bill provides that the State of Nebraska opts out of a provision in the Personal Responsibility and Work Opportunity Reconciliation Act which eliminates food stamp eligibility for persons convicted of a felony involving the possession, use, or distribution of a controlled substance. The bill provides that food stamp benefits will not be denied on such basis unless the felony conviction is for the sale or distribution of controlled substances pursuant to section 28-416. To be eligible for food stamps, the convicted person must be participating in or have completed a state licensed or nationally accredited substance abuse treatment program since the date of conviction. The determination of participation or completion is made by the treatment provider.

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**Explanation of amendments, if any:** The committee amendment (AM 286) also prohibits the receipt of food stamp benefits by persons with three or more convictions for possession or use of a controlled substance. The amendment retains food stamp ineligibility for repeat offenders.

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**Senator Jim Jensen, Chairperson**